

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL KLEEGERG, LISA STEIN
and AUDREY HAYS,

Plaintiffs,

v.

Civil Action No. 16-CV-9517(LAK)

LESTER EBER,
ALEXBAY, LLC f/k/a LESTER EBER, LLC,
CANANDAIGUA NATIONAL CORPORATION d/b/a
CANANDAIGUA NATIONAL BANK AND TRUST,
ELLIOT W. GUMAER, JR.,
EBER BROS. & CO, INC.,
EBER BROS. WINE AND LIQUOR CORP.,
EBER BROS. WINE & LIQUOR METRO, INC.,
EBER CONNECTICUT, LLC, and
WENDY EBER,

Defendants.

**RESPONSES TO PLAINTIFF
DANIEL KLEEGERG'S
FIRST SET OF
INTERROGATORIES
TO DEFENDANT
LESTER EBER**

Pursuant to the Federal Rules of Civil Procedure, Rule 26(a)(1), Defendant, Lester Eber, by his attorneys, Underberg & Kessler LLP, for his Responses to Plaintiff Daniel Kleeberg's First Set of Interrogatories to Defendant Lester Eber (the "Interrogatories"), hereby responds as follows:

GENERAL OBJECTIONS

Defendant, Lester Eber, objects to the Interrogatories on the following grounds:

1. The Interrogatories seek information that is not relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence or information bearing on the Plaintiff's claims or Defendant's defenses, and are impracticable if not impossible to comply with.

3. Identify all persons involved in any transaction between any Defendant and Southern, and specify which transaction each person was involved in and his role in the transaction.

Response to No. 3:

- **Settlement of lawsuit and Sale of Delaware and Ohio - Lester Eber, Wendy Eber and Elliott Gumaer (Directors authorizing transaction)[2007].**
- **Alexbay, LLC v. EWLC, Southern Wine and Spirits, State of NY Supreme Court- Lester Eber (Sole member of Alexbay)[2012].**

4. Identify all positions of full or part-time employment and the dates of such employment since 1970.

Response to No. 4:

- **Eber Bros Wine and Liquor Corporation, President-1970 to 2008**
- **Eber-CT, LLC, President - 2005 to 2013, CEO 2013- present**

5. Identify all businesses in which you have been a member, partner, officer, or director since 1970.

Response to No. 5:

Eber Bros. and Co., EWLC, Eber-CT, LLC, Eber Bros. Wine and Liquor Metro Inc., Eber Metro LLC, ENDC LLC, Slocum of Maine, Alexbay, Eber Acquisition, Eber-RI, LLC, PW&S, LLC, Monroe Display, Inc.

6. Identify all persons who served as Officers or Directors of Eber Bros. since 2000, including their title(s) and dates of service.

Response to No. 6:

Lester Eber, President and Director 2000- present; John Ryan, CFO and Secretary 2000 to unknown; Lisa Semenick, Secretary and CFO unknown to October, 2007; Wendy Eber, Secretary and CFO October 2007 to present; Elliott Gumaer, Director 2000 to 2017.

7. Identify all persons who served as Officers or Directors of Eber W&L since 2000, including their title(s) and dates of service.

Response to No. 7:

Lester Eber, President 2000 to 2012; John Ryan, CFO and Secretary; Lisa Semenick, CFO and Secretary, 2007; Wendy Eber, CFO and Secretary 2007 to 2014; Elliott Gumaer, Director 2000 to 2014 and September 14, 2015- October 1, 2015; Wendy Eber, Assistant Secretary 2014- present.

8. Identify all third parties who have discussed potential investment in any Eber Company with you or any other Defendant, and specify the dates when such discussions occurred.

Response to No. 8:

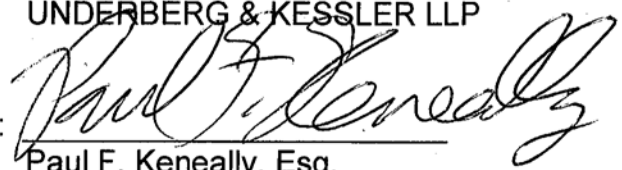
Polebridge Bowman-2010; PBGC-approximately 2014-15; Southern Wine and Spirits-unknown; NDC-unknown; Maglioccos-unknown; Charmer Sun Belt-unknown; Eder Bros, Allen S. Goodman 2007-2008; Allied-approximately 2008; others (names not recalled).

9. Identify all persons you have spoken with concerning the valuation of Eber-Conn since 2007.

DATED: Buffalo, New York
October 3, 2017

UNDERBERG & KESSLER LLP

By:



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STATE OF Connecticut)
COUNTY OF New Haven) ss: North Haven

LESTER EBER, being duly sworn, deposes and says that: he is one of the Defendants in the within action; that deponent has read the foregoing Responses to Plaintiff Daniel Kleeberg's First Set of Interrogatories to Defendant Lester Eber and knows the contents thereof, and that the same is true to deponent's own knowledge, except as to those matters stated therein to be alleged upon information and belief, and that as to those matters deponent believes it to be true.

Lester Eber

Lester Eber

Sworn to before me this
3rd day of October, 2017.

Marcia I. Passavant
Notary Public

